Cabinet Secretary for Constitution, External Affairs and Culture

Angus Robertson MSP



T: 0300 244 4000

E: scottish.ministers@gov.scot

Clare Adamson MSP Convener, Constitution, Europe, External Affairs and Culture Committee The Scottish Parliament Edinburgh **EH99 1SP** ceeac.committee@parliament.scot

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Dear Clare,

I look forward to returning to the Constitution, Europe, External Affairs and Culture Committee on 19 June. I thought it would be helpful to set out in advance some points on recent developments, particularly in relation to last month's UK-EU Summit and the Committee's second report into the Trade and Cooperation Agreement.

On the UK-EU summit the Scottish Government welcomes the renewed momentum to improve UK-EU relations and believes that there is much to welcome in the summit agreement. Progress on an SPS agreement, if realised, can bring real benefits in terms of reducing the checks and delays on goods moving between Scotland and the EU. Linking UK and EU emissions trading schemes would help the EU, UK and Scotland meet our climate objectives in the most efficient way. And we have called consistently for reassociation to the Erasmus+ exchange programme, and the creation of a youth experience scheme. We have already set out the Scottish Government's approach on these and other actions through a series of policy papers.

However, the UK Government's stated red lines – on not rejoining the single market, not rejoining the customs union, and against free movement of people – have meant that the scope of agreement and the benefits available from this process are necessarily limited. Even within these constraints, we want the UK Government and EU to go further – for example, we would like to see further reductions in the barriers to trade, and closer cooperation on EU Programmes such as Creative Europe and European Territorial Cooperation. There also remains scope for much closer working on justice and security, including improvements to arrangements for arrest warrants and prisoner transfer.

We now need all parties to focus on rapid implementation, to deliver at pace the benefits signaled at the summit.

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Regrettably, the extent the UK Government involved the Devolved Governments in the negotiations leading up to the summit was very disappointing – notably, for example, on the agreement on fisheries. This is in stark contrast to the transparent and consultative approach the EU has taken with its Members States.

One reason you will appreciate that UK Government must include Devolved Governments closely withing the negotiations is that the summit agreements will require us here to establish in both the Scottish Government and the Scottish Parliament new process both of policy development and of subsequent legislative scrutiny and implementation. The expected adoption of dynamic alignment within the SPS agreement is a case in point.

The Scottish Government continues to seek a principled and pragmatic approach to engagement with the UK Government. We firmly believe that the forthcoming negotiations offer substantial opportunities to achieve better outcomes, and we expect the UK Government to work with us in a way that reflects our respective responsibilities, and those of our respective legislatures.

In this regard, the First Minister received assurances from the UK Prime Minister at the Council of Nations and Regions on 23 May that UK Government would work with Scottish Government on each of the policy areas signalled at the Summit.

Turning to the Committee's second report into the Trade and Cooperation Agreement, I welcome this further important setting out of Scottish concerns. I specifically note your recommendation on creating a Music Export office which matches the undertaking we have given in our International Culture Strategy to support those working in the cultural sector to realise the full potential of international activity. For this reason, we have committed to carry out a feasibility study into the establishment of a support service for cultural export and exchange that would inform how we can best support international cultural activity and to overcome challenges for those working in the sector. I will be happy to provide further updates as we make progress on this.

I will be glad to set out further information at the session with the Committee and look forward to speaking with members.

Kind regards,

ANGUS ROBERTSON

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